

1 QUINN EMANUEL URQUHART & SULLIVAN, LLP

Charles K. Verhoeven (Bar No. 170151)

2 charlesverhoeven@quinnemanuel.com

David A. Perlson (Bar No. 209502)

3 davidperlson@quinnemanuel.com

Melissa Baily (Bar No. 237649)

4 melissabaily@quinnemanuel.com

John Neukom (Bar No. 275887)

5 johnneukom@quinnemanuel.com

Jordan Jaffe (Bar No. 254886)

6 jordanjaffe@quinnemanuel.com

50 California Street, 22nd Floor

7 San Francisco, California 94111-4788

Telephone: (415) 875-6600

8 Facsimile: (415) 875-6700

9 Attorneys for WAYMO LLC

10 UNITED STATES DISTRICT COURT

11 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

12 WAYMO LLC,

13 Plaintiff,

14 vs.

15 UBER TECHNOLOGIES, INC.;
16 OTTOMOTTO LLC; OTTO TRUCKING
LLC,

17 Defendants.

CASE NO. 3:17-cv-00939-WHA

**DECLARATION OF LINDSAY COOPER
IN SUPPORT OF PLAINTIFF WAYMO
LLC'S ADMINISTRATIVE MOTION TO
FILE UNDER SEAL ITS SUBMISSION IN
RESPONSE TO THE COURT'S ORDER
REQUIRING FURTHER RESPONSE RE
UNJUST ENRICHMENT (DKT. 2404)**

1 I, Lindsay Cooper, declare as follows:

2 1. I am an attorney licensed to practice in the State of California and am admitted to
3 practice before this Court. I am an associate at the law firm Quinn Emanuel Urquhart & Sullivan,
4 LLP, counsel for the Plaintiff Waymo LLC (“Waymo”). I have personal knowledge of the matters set
5 forth in this Declaration, and if called as a witness I would testify competently to those matters.

6 2. I make this declaration in support of Waymo’s Administrative Motion to File Under
7 Seal information in its December 18, 2017 Submission in Response to the Court’s Order Requiring
8 Further Response re: Unjust Enrichment Damages (the “Administrative Motion”). The
9 Administrative Motion seeks an order sealing the following materials:

Document	Portions to Be Filed Under Seal	Designating Party
Waymo’s Submission	Portions highlighted in blue	Defendants
	Portions highlighted in green	Waymo
Nardinelli Ex. 1	Entire document	Waymo and Defendants
Nardinelli Ex. 2	Entire document	Waymo and Defendants
Nardinelli Ex. 3	Entire document	Defendants

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16 3. Waymo has filed portions of Waymo’s Submission (portions highlighted in blue) and
17 Nardinelli Ex. 1-3 under seal because they contain information that Defendants have designated
18 confidential. Waymo expects Defendants to file one or more declarations in accordance with the
19 Local Rules.

20 4. Waymo’s Opposition (portions highlighted in green) and Nardinelli Ex. 1 and 2 also
21 contains or refers to trade secret and confidential business information, which Waymo seeks to seal.
22 Portions of Waymo’s Opposition (portions highlighted in green) and Nardinelli Ex. 1 and 2 contain,
23 reference, and/or describe Waymo’s asserted trade secrets. I understand that these trade secrets are
24 maintained as secret by Waymo (Dkt. 25-47) and are valuable as trade secrets to Waymo’s business
25 (Dkt. 25-31). Nardinelli Ex. 1 and 2 additionally contain information gathered from technical and
26 business leads across Waymo’s self-driving program, Waymo’s goals for its delivering its technology
27 to market and timeline for the same, and Waymo’s internal analysis of its technological lead vis-à-vis
28 Uber. The public disclosure of this information would give Waymo’s competitors access to in-depth

1 descriptions—and analysis—of the functionality of Waymo’s autonomous vehicle system. If such
2 information were made public, I understand that Waymo’s competitive standing would be
3 significantly harmed. Waymo’s request to seal is narrowly tailored to only the confidential
4 information.

5 I declare under penalty of perjury under the laws of the State of California that the foregoing is
6 true and correct, and that this declaration was executed in San Francisco, California, on December 18,
7 2017.

8 By /s/ Lindsay Cooper

9 Lindsay Cooper

10 Attorneys for WAYMO LLC
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SIGNATURE ATTESTATION

Pursuant to Local Rule 5-1(i)(3), I attest under penalty of perjury that concurrence in the filing of this document has been obtained from Lindsay Cooper.

/s/ Charles K. Verhoeven
Charles K. Verhoeven